

**MEMORANDUM**

To: Dublin City Council  
 Marsha Grigsby, City Manager  
 Anne Clarke, Clerk of Council

From: Stephen J. Smith  
 Philip K. Hartmann

Date: April 24, 2014

Re: Ordinance No. 26-14  
 Glick Road Shared-Use Path – Section 3  
 Jack K. Beatley

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**PROJECT BACKGROUND:**

The City of Dublin ("City") is preparing to construct Glick Road Multi-Use Path Section 3 (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this Project.

One of the landowners that the City must obtain property from for the construction of the Project is Jack K. Beatley (the "Grantor"). After engaging in a lengthy period of negotiations with the Grantor, it appears that the City may need to appropriate the property necessary for the Project from the Grantor.

The City is still hopeful that an amicable resolution may still be reached with the Grantor, however, this Ordinance authorizes the law director's office to initiate the eminent domain process in the event that negotiations are unsuccessful.

**PROPERTY TO BE APPROPRIATED:**

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Delaware County Parcel No. 600-341-28-028-00	
Parcel WD (Fee Simple) (Present Road Occupied)	0.155 ± acres
Permanent Easement	0.045 ± acres
Temporary Easement	0.037± acres

**RECOMMENDATION:**

The Law Department recommends approval of Ordinance No. 26-14 as the construction of the Project is necessary for public welfare and safety, and approval of the Ordinance will keep the Project moving forward.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 26-14

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.155 ACRE, MORE OR LESS, PRESENT ROAD OCCUPIED FEE SIMPLE INTEREST; A 0.045 ACRE, MORE OR LESS, PERMANENT SLOPE, GRADING AND DRAINAGE EASEMENT; AND A 0.037 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM JACK K. BEATLEY, FOR THE PROPERTY LOCATED AT 6713 GLICK ROAD FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE GLICK ROAD PHASE 3 PROJECT.**

**WHEREAS**, the City of Dublin (the "City") is preparing to construct a multi-use path along Glick Road as part of Glick Road Multi-Use Path Section 3 (the "Project"); and

**WHEREAS**, Jack K. Beatley owns property with the commonly known address of 6713 Glick Road, parcel number 600-341-28-028-000, said property located in the City of Dublin, County of Delaware, State of Ohio; and

**WHEREAS**, said Project requires the City obtain a 0.155 acre, more or less, present road occupied fee simple interest; a 0.045 acre, more or less, permanent slope, grading and drainage easement; and a 0.037 acre, more or less, temporary easement from Jack K. Beatley, as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, said property interest located in the City of Dublin, County of Delaware, State of Ohio.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** Council considers it necessary and declares its authorization to appropriate, for the purpose of constructing a multi-use path, a present road occupied fee simple interest, a permanent easement, and a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B."

**Section 2.** This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

Parcel #60034128028000  
Present Roadway Occupied  
0.155 Acres

Situated in the State of Ohio, County of Delaware, City of Dublin, being a part of Original Lot #7, in Survey 2545, Virginia Military Lands and being a part of a 1.99 acre tract conveyed to Jack K. Beatley, Trustee by Volume 439, Page 1449, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

**Beginning for Reference** at an iron pin with a cap that reads "SLSS RS 6612" on the south Right of Way of Glick Road (50' R/W) and the northeast corner of Reserve "CCC" as delineated on Muirfield Village Phase 12 in Plat Book 12, Page 42, point also lying on the west line of said 1.99 acre tract;

Thence, North 17°04'42" West, a distance of 20.00 feet, along the west line of said 1.99 acre tract, to an iron pin set, point also being the **True Point of Beginning**;

Thence, North 17°04'42" West, a distance of 30.00 feet, continuing along the west line of said 1.99 acre tract, to the centerline of said Glick Road;

Thence, North 72°55'18" East, a distance of 224.55 feet, along the centerline of Glick Road (30' R/W), to the northeast corner of said 1.99 acre tract;

Thence, South 17°04'42" East, a distance of 30.00 feet, along the east line of said 1.99 acre tract, to an iron pin set;

Thence, South 72°55'18" West, a distance of 224.55 feet, crossing said 1.99 acre tract, to the **Point of Beginning**, containing 0.155 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

Iron pins set are 5/8" diameter by 30" long iron pins with a cap that reads "CW Design Group".

The described 0.237 acre tract is a part of Auditor's Tax Parcel Number 60034128028000 and is based on Volume 439, Page 1449, Plat Book 12, Page 23 and Plat Book 12, Page 42.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in April 2013 and to the best of my knowledge depicts the boundary lines.

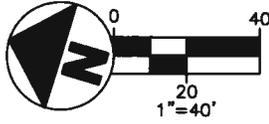
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

05.22.2013  
Date





[cw design group] D:\CWDG\Project\2012\120001\Drawing\BeattleyPRD.dwg May 22, 2013 12:14pm

**SYMBOL LEGEND**

- I.P.F. IRON PIN FOUND
- ⊙ R.F. IRON PIPE FOUND
- I.P.S. IRON PIPE SET - 5/8" DIAMETER BY 30" LONG REBAR WITH A CAP THAT READS "CW DESIGN GROUP"

0.155 ACRE PRESENT ROADWAY OCCUPIED

**BASIS OF BEARINGS**

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (COORS).

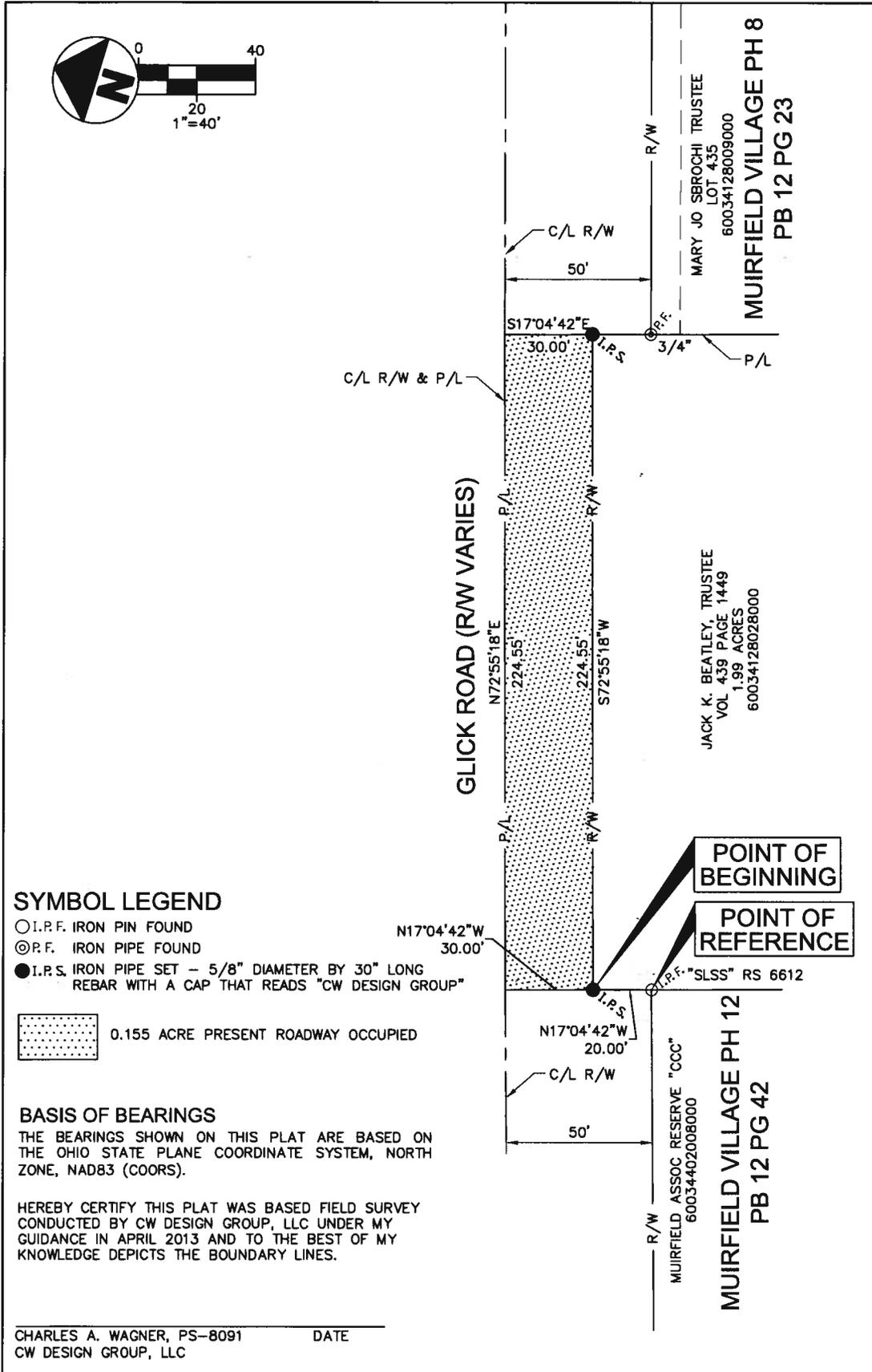
HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN APRIL 2013 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

CHARLES A. WAGNER, PS-8091                      DATE  
 CW DESIGN GROUP, LLC

**CW Design Group**  
 ENGINEERS & SURVEYORS  
 PHONE: 614-846-9279  
 972 Linkfield Drive  
 Worthington, Ohio 43085

**PARCEL #60034128028000**  
**PRESENT ROADWAY**  
**OCCUPIED**

12-0001  
  
 05/22/2013



MARY JO SBROCHI TRUSTEE  
 LOT 435  
 60034128009000  
**MUIRFIELD VILLAGE PH 8**  
 PB 12 PG 23

JACK K. BEATLEY, TRUSTEE  
 VOL 439 PAGE 1449  
 1.99 ACRES  
 60034128028000

**POINT OF BEGINNING**  
**POINT OF REFERENCE**

MUIRFIELD ASSOC RESERVE "CCC"  
 60034402008000  
**MUIRFIELD VILLAGE PH 12**  
 PB 12 PG 42

**Parcel #60034128028000**  
Permanent Slope, Grading and Drainage Easement  
0.045 acres

Situated in the State of Ohio, County of Delaware, City of Dublin, being a part of Original Lot #7, in Survey 2545, Virginia Military Lands and being a part of a 1.99 acre tract conveyed to Jack K. Beatley, Trustee by Volume 439, Page 1449, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

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Thence, North 17°04'42" West, a distance of 20.00 feet, along the west line of said 1.99 acre tract, to the south Right of Way of said Glick Road;

Thence, North 72°55'18" East, a distance of 93.79 feet, along the south Right of Way of Glick Road (30' R/W), to the **True Point of Beginning**;

Thence, North 72°55'18" East, a distance of 130.76 feet, continuing along the south Right of Way of said Glick Road, to the east line of said 1.99 acre tract;

Thence, South 17°04'42" East, a distance of 15.00 feet, along the east line of said 1.99 acre tract, to a point;

Thence, crossing said 1.99 acre tract, the following two courses:

1. South 72°55'18" West, a distance of 130.76 feet, to a point;
2. North 17°11'07" West, a distance of 15.00 feet, to the **Point of Beginning**, containing 0.045 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.237 acre tract is a part of Auditor's Tax Parcel Number 60034128028000 and is based on Volume 439, Page 1449, Plat Book 12, Page 23 and Plat Book 12, Page 42.

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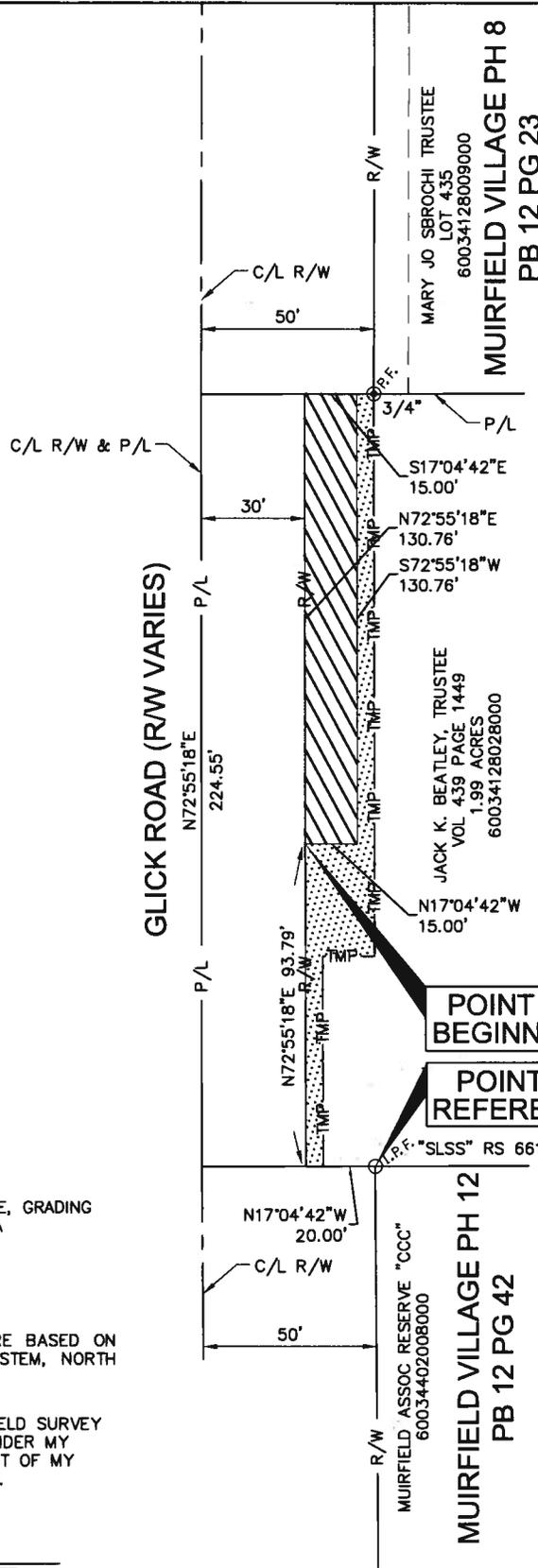
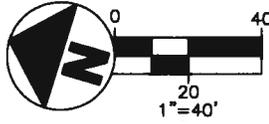
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

05.22.2013  
Date





MARY JO SBROCHI TRUSTEE  
 LOT 435  
 60034128009000  
**MUIRFIELD VILLAGE PH 8**  
 PB 12 PG 23

JACK K. BEATLEY, TRUSTEE  
 VOL 439 PAGE 1449  
 1.99 ACRES  
 60034128028000

MUIRFIELD ASSOC RESERVE "CCC"  
 60034402008000

**MUIRFIELD VILLAGE PH 12**  
 PB 12 PG 42

**SYMBOL LEGEND**

- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND

-  TEMPORARY EASEMENT AREA
-  0.045 ACRE PERMANENT SLOPE, GRADING AND DRAINAGE EASEMENT AREA

**BASIS OF BEARINGS**

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (COORS).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN APRIL 2013 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

CHARLES A. WAGNER, PS-8091      DATE \_\_\_\_\_  
 CW DESIGN GROUP, LLC

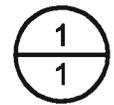
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**CW Design Group**  
 ENGINEERS | SURVEYORS

PHONE: 614-846-9279  
 972 Linkfield Drive  
 Worthington, Ohio 43085

**PARCEL #60034128028000**  
**PERMANENT SLOPE, GRADING**  
**& DRAINAGE EASEMENT**

12-0001



05/22/2013

Parcel #60034128028000  
Temporary Easement  
0.037 Acres

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Thence, North 17°04'42" West, a distance of 15.00 feet, along the west line of said 1.99 acre tract, to the **True Point of Beginning**;

Thence, North 17°04'42" West, a distance of 5.00 feet, continuing along the west line of said 1.99 acre tract, to the south Right of Way of said Glick Road;

Thence, North 72°55'18" East, a distance of 93.79 feet, along the south Right of Way of Glick Road (30' R/W), to a point;

Thence, South 17°04'42" East, a distance of 15.00 feet, crossing said 1.99 acre tract to a point;

Thence, North 72°55'18" East, a distance of 130.76 feet, crossing said 1.99 acre tract to a 3/4" iron pipe located at the intersection of the south Right of Way of Glick Road (50' R/W) and west line of Lot 438 as delineated on Muirfield Village, Phase 8 in Plat Book 12, Page 23;

Thence, South 17°04'42" East, a distance of 5.00 feet, along the west line of said Lot 438 to a point;

Thence, crossing said 1.99 acre tract, the following three courses:

1. South 72°55'18" West, a distance of 163.50 feet, to a point;
2. North 17°11'07" West, a distance of 15.00 feet, to a point;
3. South 72°55'18" West, a distance of 61.02 feet, to the **Point of Beginning**, containing 0.037 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

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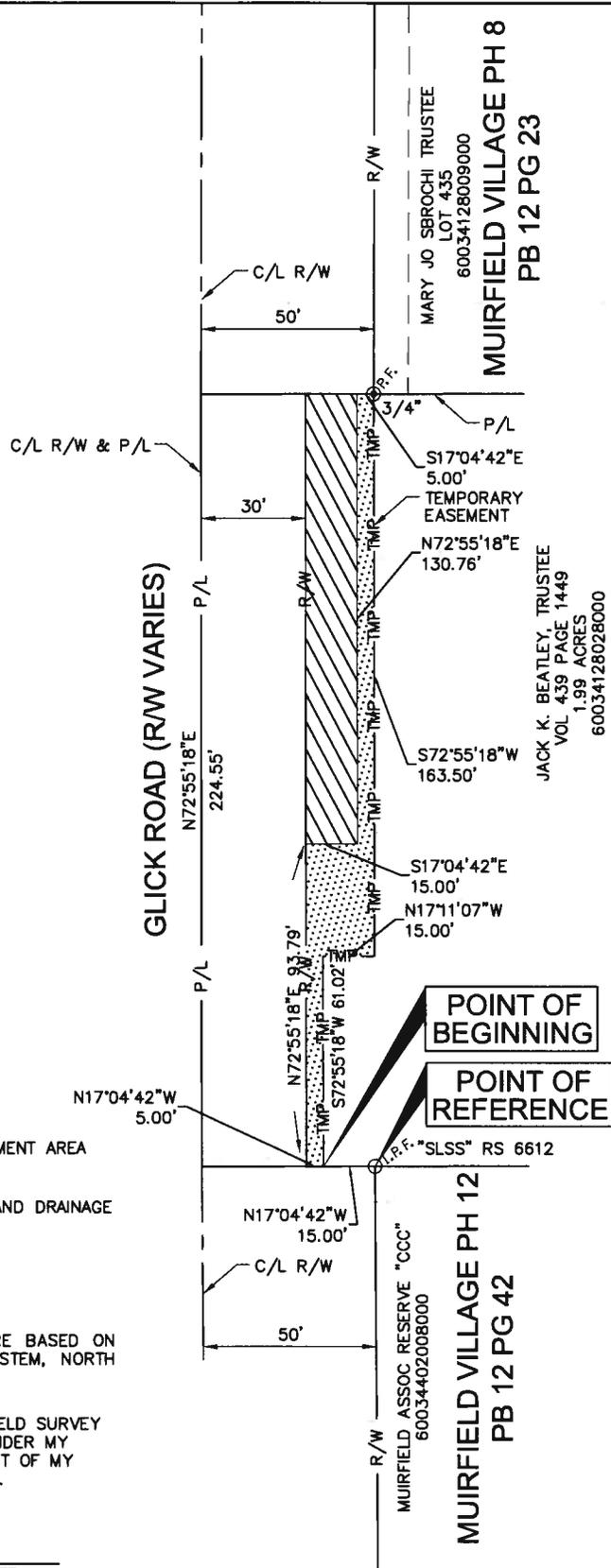
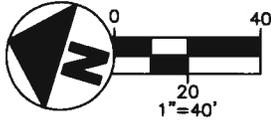
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Charles A. Wagner - Professional Surveyor 8091

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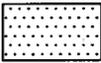
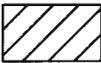


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**PB 12 PG 23**

JACK K. BEATLEY, TRUSTEE  
 VOL 439 PAGE 1449  
 1.99 ACRES  
 60034128028000

MUIRFIELD ASSOC RESERVE "CCC"  
 60034402008000  
**MUIRFIELD VILLAGE PH 12**  
**PB 12 PG 42**

**SYMBOL LEGEND**

- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND
-  0.037 ACRE TEMPORARY EASEMENT AREA
-  PERMANENT SLOPE, GRADING AND DRAINAGE EASEMENT AREA

**BASIS OF BEARINGS**

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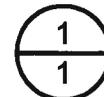
CHARLES A. WAGNER, PS-8091 DATE  
 CW DESIGN GROUP, LLC

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 972 Linkfield Drive  
 Worthington, Ohio 43085

**PARCEL #60034128028000**  
**TEMPORARY**  
**EASEMENT**

12-0001



05.22.2013